

MAY 14 2019

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JULIA C. DUDLEY, CLERK
BY: *George*
DEPUTY CLERK

S.USA LIFE INSURANCE
COMPANY, INC.

Plaintiff,

v.

CHARLES JAMES FOSTER,

Defendant.

Case No. 7:18-cv-590

By: Michael F. Urbanski
Chief United States District Judge

ORDER

This matter was referred to the Honorable Robert S. Ballou, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b)(1)(B), for proposed findings of fact and a recommended disposition. The magistrate judge filed a report and recommendation on April 29, 2019, recommending that plaintiff's motion to dismiss, ECF No. 6, be granted. No objections to the report and recommendation have been filed, and the court is of the opinion that the report and recommendation should be adopted in its entirety. It is accordingly **ORDERED** and **ADJUDGED** that:

1. The magistrate judge's report and recommendation, ECF No. 17, is **ADOPTED in its entirety**.
2. Plaintiff S.USA Life Insurance Company Inc.'s motion to dismiss, ECF No. 6, is **GRANTED**.
3. Defendant Charles Foster Jones is **GRANTED** leave of court to file an amended counterclaim within 21 days of the entry of this order.

It is **SO ORDERED**.

The clerk is directed to send a copy of this order to the pro se defendant and to all counsel of record.

Entered: 05-14-2019

/s/ Michael F. Urbanski

Michael F. Urbanski
Chief United States District Judge